



U.S. Department of Justice

United States Attorney  
Eastern District of New York

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610 Federal Plaza  
Central Islip, New York 11722

December 30, 2014

By ECF

Honorable Joanna Seybert  
United States District Judge  
United States District Court  
100 Federal Plaza  
Central Islip, New York 11722

Re: *United States v. Mutino*, 04-CR-876 (JS)

Dear Judge Seybert:

On behalf of the government in the above-reference matter, I write to respectfully request an extension of time (from January 12, 2015 to February 12, 2015) to respond to Defendant Joseph Mutino's ("Defendant") motion for *coram nobis* relief. The reason for this application is that, while Defendant had previously filed a brief in support of his application, counsel did not file and serve the declaration and exhibits that form the factual basis for his requested relief until December 29, 2014. Thus, the undersigned requires an additional 30 days to review these documents and finalize the government's opposition papers.

This is the government's second request with regard to this deadline. The first request was granted. I have conferred with Defendant's counsel, who has consented to this request. Thus, subject to the approval of the Court, the parties propose the following briefing schedule in this matter: (a) The government to file its opposition to Defendant's motion for *coram nobis* relief on February 12, 2015; and (2) Defendant to file his reply on March 12, 2015. Thank you for your consideration of this request.

Respectfully submitted,

LORETTA E. LYNCH  
United States Attorney

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cc: Eric M. Creizman, Esq.